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TECH CENTER 1600/2900

BOLSES 11/127

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Serial No.: 09/833,496  
Filing Date: April 11, 2001  
Applicant: GELLMAN et al.  
Title:  $\beta$ -AMINO ACIDS  
Attorney Docket No.: 09820  
Group Art Unit: 1627  
Examiner: Unknown

**SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,  
PERTAINING TO A BIOTECHNOLOGY INVENTION CONTAINING A  
NUCLEOTIDE AND/OR AMINO ACID SEQUENCE**

U.S. Patent and Trademark Office  
Box: Sequence  
P.O. Box 2327  
Arlington, VA 22202

PR 8/8  
SUGGS  
7-7-02

To the Commissioner:

Enclosed are:

1. A copy of the Notice To Comply (Bonafide Attempt) dated June 7, 2002
2. A paper copy of the "Sequence Listing" for the amino acid sequence in this application. The "Sequence Listing" is assigned a separate identifier as required in 37 C.F.R. 1.821(c) and 37 C.F.R. 1.822 and 1.823.
3. A copy of the "Sequence Listing" in computer readable form in accordance with the requirements of 37 C.F.R. 1.821(e) and 1.824.
4. A statement that the content of the paper copy of the "Sequence Listing" and the "Sequence Listing" in computer readable form are the same as required by 37 C.F.R. 1.821(g).

**APPLICANTS REQUEST THAT THE PREVIOUSLY SUBMITTED SEQUENCE  
LIST BE DELETED AND THE SUBSTITUTE SEQUENCE LIST ATTACHED HERETO**

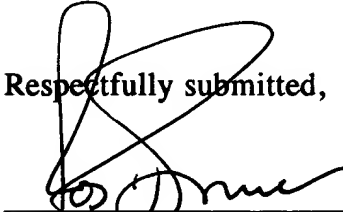
**DISK TO STIC**

DATE:



Should the Examiner have any questions or comments with respect to the above-referenced application, the Examiner is requested to contact the undersigned attorney. The Commissioner is authorized to charge any fees or credit any overpayments relating to this application to deposit account number 18-2055.

Respectfully submitted,

  
\_\_\_\_\_  
**Joseph T. Leone, Reg. No. 37,170**  
**DEWITT ROSS & STEVENS S.C.**  
8000 Excelsior Drive, Suite 401  
Madison, Wisconsin 53717-1914  
Telephone: (608) 831-2100  
Facsimile: (608) 831-2106

**I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:**

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**Date of Deposit:** 6-18-02

**Signature:** Maurice Layton

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JUN 28 2002 *docketed*



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UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,496	04/11/2001	Samuel H. Gellman	09820.149	4334

25005 7590 06/07/2002

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8000 EXCELSIOR DR  
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MADISON, WI 53717-1914

EXAMINER

CELSA, BENNETT M

ART UNIT PAPER NUMBER

1627

DATE MAILED: 06/07/2002




Please find below and/or attached an Office communication concerning this application or proceeding.

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 
- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**



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**STATEMENT THAT "SEQUENCE LISTING" AND COMPUTER READABLE  
COPY ARE THE SAME AND INCLUDE NO NEW MATTER**

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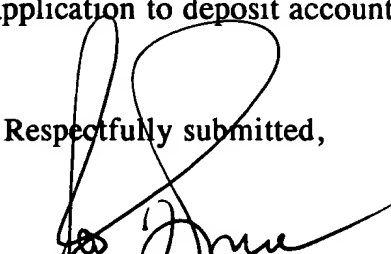
To the Commissioner:

Enclosed is a statement that the content of the paper copy of the "Sequence Listing" and the "Sequence Listing" in computer readable form are the same as required by 37 C.F.R. 1.821(g).

The paper copy of the Sequence Listing submitted in this application is identical to the computer readable copy of the Sequence Listing being submitted herewith.

Should the Examiner have any questions or comments with respect to the above-referenced application, the Examiner is requested to contact the undersigned attorney. The Commissioner is authorized to charge any fees or credit any overpayments relating to this application to deposit account number 18-2055.

Respectfully submitted,

  
Joseph T. Leone, Reg. No. 37,170  
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Date of Signature: 6-18-02

Signature: Marcus Layton